

# Notice of Allowability

Application No.

10/700,010

Examiner

Robert J. Sandy

Applicant(s)

HOLLIDAY ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication received on 11/10/2005 and interview of 12/19/2005.
2. ☒ The allowed claim(s) is/are 1,4,6,7,9-34 and 36-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date with this paper.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph R. Papp (Reg. No. 20,115) on 19 December 2005.

The application has been amended as follows:

Claims 2, 3, 5, 8 and 35 have been canceled.

Claims 1, 6, 7, 9, 10, 16-30, 36-38, and 41 have been amended in final form to the following listing:

1 (Currently amended). Retainer clips for securing together a plurality of rings in a stack for handling for a variety of procedures such as processing, shipping and use in attachment to other members, each said retainer clip being of a flexible wirelike construction and having an elongated connecting section extending along a length of said rings when stacked, said retainer clip having a support section located at the lower end of said connecting section for receiving and supporting the lower end of the stack of rings, and a resilient clamp section located at the opposite upper end of said connecting section and being flexibly movable to facilitate movement over the opposite upper end of the stack of said rings to resiliently engage the opposite upper end of the stack of said rings to retain them with pressure against the support section and being flexibly movable away from the opposite upper end of the stack of rings to permit removal of the rings from the stack, a plurality of said retainer clips adapted to be located in spaced relationship about said rings in a stack to secure said rings in the stack for handling, said rings having a predetermined width and thickness, said clamp section having a clamping segment with an open loop having an upwardly extending opening adapted overlap the width and thickness of at least the one of the rings at the top of the stack, said support section having an open loop with a downwardly extending opening adapted to receive and overlap the width and thickness of at least the one of the rings at the bottom of the stack.

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4 (Currently amended). The retainer clips of claim 1 with said connecting section of each said retainer clip being substantially straight and of a generally fixed length.

6 (Currently amended). The retainer clips of claim 1 with said connecting section of each said retainer clip having a resilient extension segment whereby the overall length of said connecting section can be selectively increased over a predetermined range to accept rings in stacks of varying lengths.

7 (Currently amended). The retainer clips of claim 6 with said resilient extension segment of each said retainer clip including a pair of spaced arms angulated apart at a preselected angle to permit resilient increase in said preselected angle and further separation of said spaced arms whereby rings in stacks of varying length can be accepted.

9 (Currently amended). The retainer clips of claim 2 with said clamp section of each said retainer clip having an actuating segment connected to said clamping segment for actuation of said clamping segment resiliently upwardly to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the top of the stack to thereby clamp the stack of rings together.

10 (Currently amended). The retainer clips of claim 9 with said actuating segment of each said retainer clip being angulated upwardly away from said clamping segment.

16 (Currently amended). The retainer clips of claim 1 with said resilient clamp section of each said retainer clip being resiliently movable to clamp stacks of rings in a range of varying lengths.

17 (Currently amended). The retainer clips of claim 16 with said connecting section of each said retainer clip having a resilient extension segment whereby the overall length of said connecting section can be selectively increased over a predetermined range to accept rings in stacks of varying lengths in addition to the varying length of stacks provided by said resilient clamp section.

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18 (Currently amended). The retainer clips of claim 2 with said clamp section of each said retainer clip having an actuating segment connected to said clamping segment for actuation of said clamping segment resiliently upwardly to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the top of the stack to thereby clamp the stack of rings together, said actuating segment having an outer end with a substantially closed loop to provide a generally smooth surface at said outer end to facilitate engagement with said actuating segment.

19 (Currently amended). The retainer clips of claim 9 with said support section of each said retainer clip being resilient and having a support segment and an actuating segment connected to said support segment for actuation of said support segment away from the stack of rings to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the bottom of the stack to thereby clamp the stack of rings together.

20 (Currently amended). The retainer clips of claim 2 with said clamp section of each said retainer clip having an actuating segment connected to said clamping segment for manual actuation of said clamping segment resiliently upwardly to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the top of the stack to thereby clamp the stack of rings together, said actuating segment having an outer end with substantially closed loop to provide a generally smooth surface at said outer end to facilitate the manual actuation.

21 (Currently amended). The retainer clips of claim 20 with said support section of each said retainer clip being resilient and having a support segment and an actuating segment connected to said support segment for manual actuation of said support segment away from the stack of rings to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the bottom of the stack to thereby clamp the stack of rings together.

22 (Currently amended). The retainer clips of claim 1 with said support section of each said retainer clip being resiliently movable to clamp stacks of rings of varying length.

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23 (Currently amended). The retainer clips of claim 22 with said connecting section of each said retainer clip having a resilient extension segment whereby the overall length of said connecting section can be selectively increased over a predetermined range to accept rings in stacks of varying lengths in addition to the varying length of stacks provided by said support section.

24 (Currently amended). The retainer clips of claim 1 with said resilient clamp section and said support section of each said retainer clip being resiliently movable to clamp stacks of rings of varying length.

25 (Currently amended). The retainer clips of claim 24 with said connecting section of each said retainer clip having a resilient extension segment whereby the overall length of said connecting section can be selectively increased over a predetermined range to accept rings in stacks of varying lengths in addition to the varying length of stacks provided by said resilient clamp section and by said resilient support section.

26 (Currently amended). The retainer clips of claim 1 with said connecting section of each said retainer clip having a resilient extension segment whereby the overall length of said connecting section can be selectively increased over a predetermined range to accept stacks of rings of varying lengths, said extension segment being generally located in a plane extending generally radially transversely to the stack of rings whereby said extension segment will provide an opening to facilitate gripping of the stack of rings by the operator.

27 (Currently amended). The retainer clips of claim 2 with said clamp section having of each said retainer clip an actuating segment connected to said clamping segment for actuation of said clamping segment resiliently upwardly to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the top of the stack to thereby clamp the stack of rings together, said actuating segment having an upwardly extending open loop adapted to be engaged from the inside of said open loop for resiliently moving said clamp from engagement with the stack of rings, said open loop of said actuating segment having an outer end with a substantially

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closed loop to provide a generally smooth surface at said outer end to facilitate engagement with said actuating segment.

28 (Currently amended). The retainer clips of claim 2 with said clamp section having of each said retainer clip an actuating segment connected to said clamping segment for actuation of said clamping segment resiliently upwardly to accept the stack of rings in clearance and releasable to overlap at least the one of the rings at the top of the stack to thereby clamp the stack of rings together, said actuating segment having a generally straight section extending radially from the end of said open loop of said clamping segment, the outer end of said straight section connected to a substantially closed loop section with the opening of said closed loop section facing upwardly whereby a generally smooth surface is provided at said outer end to facilitate engagement with said actuating segment.

29 (Currently amended). The retainer clips of claim 28 with said actuating segment of each said retainer clip extending downwardly below said clamping segment.

30 (Currently amended). The retainer clip of claim 1 with said wirelike construction of each said retainer clip having a cross-section with a diameter of around 0.080 inches.

36 (Currently amended). The retainer clips of claim 1 with said support section and said resilient clamp section of each said retainer clip being adapted to locate said connecting section spaced from the outer surface of the rings when said rings are held in a stacked condition by said clip.

37 (Currently amended). The retainer clips of claim 36 with said spacing of said connecting section of each said retainer clip from the outer surface of the stack of rings facilitating processing of the rings such as by heat treatment or coating when stacked.

38 (Currently amended). The retainer clips of claim 1 with each of said clips being made of a resilient, high strength metal.

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41 (Currently amended). The retainer clips of claim 1 with said clamp section of each said retainer clip being resiliently movable over the upper end of the stack of rings during assembly and releasable to resiliently engage the upper end of the stack rings to retain them in a stacked condition.

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### EXAMINER'S COMMENT

In view of applicant's amendments in the response received 10 November 2005, and the Examiner's amendment provided herein, claims 1, 4, 6, 7, 9-34, and 36-42 are allowed. All under 35 U.S.C. 112, 35 U.S.C. 102(b), and 35 U.S.C. 103(a) each have been withdrawn. Applicant's remarks provided in the response received 10 November 2005 and the interview (see faxed communication attached to the Examiner's Interview Summary form PTOL-413B) each have been considered. The amendment to claims 1, 6, 7, 9, 10, 16-30, 36-38, and 41, provided herein, was to further define over Wong (U. S. Patent No. 5,165,722) where the requirement of a plurality of retainer clips are not disclosed or suggested by the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ROBERT J. SANDY  
PRIMARY EXAMINER

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